

MAY. 27. 2004 4:48PM

BROWDY AND NEIMARK

NO. 1787 P. 1

BROWDY AND NEIMARK, P.L.L.C.

ATTORNEYS AT LAW

PATENT AND TRADEMARK CAUSES

SUITE 300

624 NINTH STREET, N.W.

WASHINGTON, D. C. 20001-5303

TELEPHONE (202)-628-5197

SHERIDAN NEIMARK
ROGER L. BROWDY

ANNE M. KORNBAU
NORMAN J. LATKER
RONNI S. JILLIONS
DIANA MICHELLE SOBO
AOI NAWASHIRO

OF COUNSEL
IVER P. COOPER
JAY M. FINKELSTEIN

ALVIN BROWDY (1937-1998)

PATENT AGENT
ALLEN C. YUN, PH.D.

TELECOPIER FACSIMILE
(202) 737-3528
(202) 393-1012

E-MAIL
mail@browdyneimark.com

**RECEIVED
CENTRAL FAX CENTER**

MAY 27 2004

TELEFAX CONTROL SHEET

SENT TO:

Examiner R.C. Hayes

OFFICIAL

DATE SENT:

May 27, 2004

SUBJECT:

FUCHS-2A; Appln No: 09/820,339; Conf. No: 3100

No. of pages (including this cover sheet):

10

FROM:

Allen C. Yun

Remarks:

CONFIDENTIALITY NOTE

This confidential facsimile message is intended only for the individual entity named above, and may contain information that is privileged and exempt from disclosure under applicable law. If you, the reader of this message, are not the intended recipient, or the employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that you should not copy this facsimile or distribute it to anyone other than the intended recipient. In addition, if you have received this telecopy in error, please immediately notify us by telephone or telefax and return the original message to us at the address above via the United States Postal Service. Finally, if it would not inconvenience you, we would appreciate it if you would first refax this message to the intended recipient. Thank you.

If this transmission is not well received, please advise us at our telecopier no. 202-737-3528 or by e-mail at mail@browdyneimark.com, or call our voice telephone no. 202-628-5197.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: FUCHS et al.

Art Unit: 1847

Application No.: 09/820,339

Conf. No. 3100

Examiner: R. C. Hayes

Filed: March 29, 2001

Washington, D.C.

For: RECOMBINANT FRAGMENTS OF THE HUMAN ACETYLCHOLINE...

Atty.'s Docket: FUCHS=2A

Date: May 27, 2004

RECEIVED
CENTRAL FAX CENTER

MAY 27 2004

OFFICIAL

THE HONORABLE COMMISSIONER FOR PATENTS
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop: Non-Fee Amendment
Crystal Plaza Two, Lobby, Room 1B03
Arlington, Virginia 22202

Sir:

Transmitted herewith is a [X] Supplemental Amendment []

in the above-identified application.

[X] Small Entity Status: Applicant(s) claim small entity status. See 37 C.F.R. §1.27.

[X] No additional fee is required.

[] The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)		(Col. 3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR		PRESENT EXTRA EQUALS
TOTAL	* 19	MINUS	** 22		0
INDEP.	* 1	MINUS	*** 3		0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					

SMALL ENTITY	
RATE	ADDITIONAL FEE
x 0	\$
x 43	\$
+ 146	\$
ADDITIONAL FEE TOTAL \$	

OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE
x 18	\$
x 86	\$
+ 290	\$
OR TOTAL \$	

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- ** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.
- *** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

[X] Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity

Response Filed Within

- [] First - \$ 55.00
- [] Second - \$ 210.00
- [] Third - \$ 475.00
- [] Fourth - \$ 740.00

Month After Time Period Set

Other Than Small Entity

Response Filed Within

- [] First - \$ 110.00
- [] Second - \$ 420.00
- [] Third - \$ 950.00
- [] Fourth - \$ 1480.00

Month After Time Period Set

[] Less fees (\$) already paid for month(s) extension of time on

[] Please charge my Deposit Account No. 02-4035 in the amount of \$

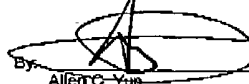
[] Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$.

[] A check in the amount of \$ is attached (check no.).

[X] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

BROWDY AND NEIMARK, P.L.L.C.

Attorneys for Applicant(s)

By: 
Allen C. Yun
Registration No.: 37,971

Facsimile: (202) 737-3528
Telephone: (202) 628-6197

MAY. 27. 2004 4:42PM

BROWDY AND NEIMARK

NO. 1783 P. 2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: FUCHS-2A

MAY. 27. 2004 4:48PM

BROWDY AND NEIMARK

NO. 1787 P. 2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: FUCHS et al.

Art Unit: 1847

Application No.: 09/820,339

Conf. No. 3100

Examiner: R. C. Hayea

Filed: March 29, 2001

Washington, D.C.

For: RECOMBINANT FRAGMENTS OF THE HUMAN ACETYLCHOLINE...

Atty.'s Docket: FUCHS=2A

Date: May 27, 2004

THE HONORABLE COMMISSIONER FOR PATENTS
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop: Non-Fee Amendment
Crystal Plaza Two, Lobby, Room 1B03
Arlington, Virginia 22202

Sir:

Transmitted herewith is a ☒ Supplemental Amendment []

in the above-identified application.

☒ Small Entity Status: Applicant(s) claim small entity status. See 37 C.F.R. §1.27.☒ No additional fee is required.☐ The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA EQUALS
TOTAL	* 19	MINUS	** 22	0
INDEP.	* 1	MINUS	*** 3	0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

SMALL ENTITY	
RATE	ADDITIONAL FEE
x 9	\$
x 43	\$
+ 145	\$
ADDITIONAL FEE TOTAL	
	\$

OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE
x 18	\$
x 88	\$
+ 290	\$
TOTAL	
	\$

OR

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- ** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.
- *** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

☒ Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

☐ It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity
Response Filed Within

☐ First - \$ 55.00

☐ Second - \$ 210.00

☐ Third - \$ 475.00

☐ Fourth - \$ 740.00

Month After Time Period Set

Other Than Small Entity
Response Filed Within

☐ First - \$ 110.00

☐ Second - \$ 420.00

☐ Third - \$ 950.00

☐ Fourth - \$ 1480.00

Month After Time Period Set

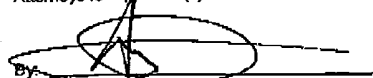
☐ Less fees (\$) already paid for month(s) extension of time on

- ☐ Please charge my Deposit Account No. 02-4035 in the amount of \$.
- ☐ Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$.
- ☐ A check in the amount of \$ is attached (check no.).

☒ The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

BROWDY AND NEIMARK, P.L.L.C.

Attorneys for Applicant(s)

By: 
Allen C. Yen
Registration No.: 37,871

Facsimile: (202) 737-3528
Telephone: (202) 628-5197

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: FUCHS=2A

In re Application of:)	Art Unit: 1647
FUCHS et al.)	Examiner: R. C. Hayes
Appln. No.: 09/820,339)	Washington, D.C.
Date Filed: March 29, 2001)	Confirmation No. 3100
For: RECOMBINANT FRAGMENTS OF)	May 27, 2004
THE HUMAN ACETYLCHOLINE)	
RECEPTOR AND THEIR...)	VIA TELEFACSIMILE

RECEIVED
CENTRAL FAX CENTER

MAY 27 2004

OFFICIAL

SUPPLEMENTAL AMENDMENT

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop Non-Fee Amendment
Crystal Plaza Two, Lobby, Room 1B03
Arlington, Virginia 22202

Sir:

Supplemental to the amendment after final filed
February 5, 2004, on which applicants continue to primarily rely,
and the RCE filed April 14, 2004, requesting entry of the after
final amendment, please amend as follows:

Amendments to the Claims are reflected in the listing of claims
which begins on page 2 of this paper.

Remarks/Arguments begin on page 7 of this paper.